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A33083-PCT-USA / 072667.0127

MARKED UP VERSION OF AMENDED CLAIMS**IN THE CLAIMS**

Please delete claims 1, 66, 67, 74 and 79.

Please rewrite the claims as follows:

2. (Twice Amended) The isolated polynucleotide of claim [1] 3 and 4, wherein the polynucleotide is a DNA sequence.

3. (Twice Amended) An isolated polynucleotide encoding a glutathione transferase (GST) subunit, [The isolated polynucleotide according to claim 1,] wherein the coding sequence encodes the amino acid sequence of SEQ ID No. 2.

4. (Twice Amended) (Twice Amended) An isolated polynucleotide encoding a glutathione transferase (GST) subunit, [The isolated polynucleotide according to claim 1,] wherein the polynucleotide is coding sequence of SEQ ID No. 1.

8. (Amended) A chimeric gene comprising the polynucleotide according to claim [1] 3 or 4 operably linked to regulatory sequences that allow expression of the coding sequence in a host cell.

10. (Twice Amended) A vector comprising the polynucleotide according to any one of claims [1] 2 to 4 or the chimeric gene according to claim 8 or 9.

20. (Twice Amended) A method of [obtaining] producing a transgenic plant cell comprising:

(a) transforming a plant cell with the expression vector according to claim 11 to [obtain] produce a transgenic plant cell, and optionally,

BAKER BOTTS LLP.

A33083-PCT-USA / 072667.0127

(a') transforming the cell with one or more further polynucleotide sequences coding for a GST subunit, operably linked to regulatory elements that allow expression of the subunit in the cell.

21. (Twice Amended) A method of [obtaining] producing a first-generation transgenic plant comprising:

(a) transforming a plant cell with the expression vector according to claim 11 to [obtain] produce a transformed plant cell; and

(b) regenerating the transformed plant cell to [obtain] produce a transgenic plant.

22. (Twice Amended) A method of [obtaining] producing a transgenic plant seed comprising:

(a) [obtaining] producing a transgenic seed from the transgenic plant [obtained] produced by step (a) of claim 21.

23. (Amended) [A] The method of claim 21 [obtaining producing a transgenic progeny plant] comprising [obtaining] producing a second generation transgenic progeny plant from a first-generation transgenic plant [obtainable by a method according to claim 21], and optionally [obtaining] producing transgenic plants of one or more further generations from the second-generation progeny plant thus [obtained] produced.

25. (Twice Amended) A transgenic plant cell [obtained] produced by the method according to claim 20.

26. (Amended) A transgenic plant cell callus comprising [plant cells] the cell according to claim 13.

27. (Amended) A transgenic plant cell callus comprising [plant cells] the cell according to claim 13, or [obtainable] produced from a transgenic plant cell, first-generation plant, plant seed or progeny plant according to claim 25.

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A33083-PCT-USA / 072667.0127

29. (Amended) A nucleic acid construct comprising:

- (a) the isolated polynucleotide according to claim [1] 3 or 4 operably linked to regulatory elements that allow expression of the coding sequence in a plant cell; and
- (b) a site into which a further polynucleotide comprising a coding sequence can be inserted.

32. (Thrice Amended) A method of transforming a plant cell or of [obtaining] producing a plant cell culture or transgenic plant, the method comprising:

- (a) providing an untransformed plant cell which is susceptible to a herbicide whose herbicidal activity is reduced by a dimeric protein comprising two GST subunits;
- (b) transforming the plant cell with the vector according to claim 31;
- (c) cultivating the transformed cell under conditions that allow the expression of the polynucleotide encoding a GST subunit to provide a polypeptide comprising a GST subunit, wherein the polypeptide comprising the GST subunit can form a dimer with another GST subunit; and/or
- (c') regenerating the cell to give a cell culture or plant such that the polynucleotide is expressed to provide a polypeptide comprising a GST subunit, wherein the polypeptide comprising the GST subunit can form a dimer with another GST subunit;
- (d) contacting the cell, cell culture or plant with the herbicide whose herbicidal activity is reduced by the dimeric protein, and to which the untransformed plant cell was susceptible, and
- (e) selecting cells, cell cultures or plants that are less susceptible to the herbicide than are corresponding untransformed cells, cell cultures or plants.

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A33083-PCT-USA / 072667.0127

68. (Amended) An isolated polynucleotide encoding a glutathione transferase (GST) subunit having a coding sequence at least 70% identical to the coding sequence of SEQ ID No. 1 or its complement.

71. (Amended) The isolated polynucleotide of claim [69] 70 having a coding sequence at least 95% identical to the coding sequence of SEQ ID No. 1 or its complement.

72. (Amended) The isolated polynucleotide of claim [69] 71 having a coding sequence at least 98% identical to the coding sequence of SEQ ID No. 1 or its complement.

73. (Amended) The isolated polynucleotide of claim [69] 72 having a coding sequence at least 99% identical to the coding sequence of SEQ ID No. 1 or its complement.

75. (Amended) An isolated polynucleotide encoding a glutathione transferase (GST) subunit [The isolated polynucleotide of claim 74] having a nucleic acid sequence at least 95% identical to at least about 100 contiguous nucleotides of SEQ ID No. 1 or its complement.

80. (Amended) An isolated polynucleotide encoding a glutathione transferase (GST) subunit [encoding a polypeptide] having a sequence of SEQ ID NO:2 modified by up to about 30 conservative amino acid substitutions.

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A33083-PCT-USA / 072667.0127

REMARKS

This amendment is being filed in response to the Office Communication dated April, 2003. In the Office Communication, the Examiner has pointed out that the markup copy of the amended claims does not match the clean copy of the amended claims and it is unclear from the last page of the markup copy of the claims whether a new claim has been added. The Examiner has further noted that Applicants should only submit a supplemental corrected markup copy of the amended claims if the errors are only in the markup copy. Applicants submit that the clean copy is correct and therefore, only submit herewith a supplemental markup copy of the claims.

The Examiner has further noted in the Office Communication that there is some discrepancy regarding what claims are currently pending and has indicated that Applicants must clarify which claims are pending. Applicants submit that the discrepancy has originated with the Examiner. The Examiner has noted in the Office Action dated October 22, 2002 that claims 1-4, 8-15, 23, 25-27, 29-32, 43 and 66-80 are pending. The Examiner then rejects claims 1, 2, 8-15, 20-23, 25-27, 29-32, 43 and 66-80. The discrepancy lies in the fact that the Examiner has not indicated that claims 20-22 are pending but does reject these claims. Furthermore, claims 20-22 were never cancelled. Applicants assert that claims 20-22 are currently pending. Therefore, Applicants believe that the statement on page 5 of the January 21, 2003 response that Claims 1-4, 8-15, 20-23, 25-27, 29-32, 43, 66-80 are pending is correct. Applicants note however that in the January 21, 2003 response, Claims 1, 66, 67, 74 and 79 have been deleted without prejudice to pursuing the subject matter of the claims in a continuation application.

NY02:437291

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Applicants maintain that the Claims are now in condition for allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,



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